

REMARKS

Claims 1-6 are pending in this application. Claims 1 and 5 are independent claims.
Reconsideration in view of the following remarks is respectfully solicited.

The Claims Define Patentable Subject Matter

The final Office Action makes the following rejection(s):

Claims 1-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,847,756 to Iura et. al (hereafter Iura) in view of U.S. Patent No. 4,837,628 to Sasaki (hereafter Sasaki) and further in view of U.S. Patent No. 4,054,915 to Sugihara (hereafter Sugihara) and further in view of U.S. Patent No. 5,508,739 to Suh (hereafter Suh).

This rejection is respectfully traversed.

Applicant respectfully submits that the claimed invention is distinguishable from the combination of four (4) cited art, specifically, Iura, Sasaki, Sugihara and Suh, for at least the following reasons.

For example, the Examiner concedes that each of Iura, Sasaki and Sugihara fail to teach or suggest subjecting a white balance process to the field image signals in a white balance circuit and outputting integrated values of the field images from the white balance circuit in an integrated circuit, and further detecting the signal levels based on the integrated signals. However, in an attempt to show this feature, the Examiner imports Suh. (see final Office Action, page 6).

For example, Applicant respectfully submits that Suh merely discloses a white balance adjusting apparatus for a video camera that includes a latch circuit 20 for holding integrated values IR/IG and IB/IG obtained at a divide circuit 13, and a comparing circuit 23 serially connected between the divide circuit 13 and a computation circuit 16 for comparing integration values ratios outputted at the latch circuit 20. (see Suh, Fig. 4 and col. 4, lines 45-55). In other words, Suh's white balance adjusting apparatus includes an integration circuit 9 and processes the integration value ratios IR/IG and IB/IG obtained therein. As such, contrary to the

Examiner's beliefs, Suh fails to disclose outputting integrated values of the field images from the white balance circuit in an integrated circuit. In other words, Suh fails to teach or suggest taking field images from the white balance circuit (i.e., an output of the white balance circuit) and integrating them in an integration circuit because Suh's integration circuit is an integral part of its white balance apparatus. As such, Suh fails to take an output of the white balance circuit and perform integration on the outputted field image signals.

As a result, Applicant respectfully submits that Suh fails to teach or suggest the above noted features *in the manner claimed* and thus fails to make up for the deficiencies noted in Iura, Sasaki and Sugihara. Instead, Suh merely discloses a white balance apparatus that includes a dividing circuit for integrating a color signal and for computing an integration value ratio. Thus, in Suh, integration of the image signals is performed by the white balance apparatus.

For at least the reasons noted above, applicant respectfully submits that contrary to the Examiner's beliefs, Suh fails to make up for the deficiencies found in each of Iura, Sasaki and Sugihara.

Furthermore, the Examiner alleges that Sasaki discloses subjecting a gradation correction in a gamma circuit. (see final Office Action, page 7). Applicant respectfully disagrees with this allegation.

For example, in the present invention the method subjects an output of the white balance circuit to a gradation correction in a γ -circuit. Given that Sasaki fails to even disclose a white balance circuit, it goes to follow that Sasaki cannot possibly disclose subjecting an output of the white balance circuit to a gradation correction in a γ -circuit.

Applicant respectfully submits that the Examiner is merely using a piecemeal approach to rejecting the present invention without considering the claim in its entirety. None of the references cited teach or suggest the above noted features, *in the manner claimed*. Applicant respectfully submits that the Examiner is merely pointing to individual components in the

references and trying to associate such components to the overall claimed invention without properly establishing that it is obvious to combine the components *in the manner claimed*.

For example, Applicant respectfully submits that neither Iura, Sasaki, Sugihara nor Suh, taken singularly or in combination, (assuming these teachings may be combined, which applicant does not admit) teach or suggest using an integration circuit to output integrated values of the field images from the white balance circuit, whereby the subjecting a white balance process to the field image signals consisted of separated red, blue and green signals in a white balance circuit, wherein the white balance process adjusts the signal levels of a blue image signal and a red image signal to a signal level of a green image signal so that a ratio of blue to green and a ratio of red to green is maintained constant.

Furthermore, Applicant respectfully submits that the Examiner has failed to provide proper motivation for combining the four cited references. Applicant respectfully submits that only through impermissible hindsight reconstruction using applicant's invention would one find motivation to modify the Iura, Sasaki, and Sugihara devices to have all of the claimed features, including a white balance circuit as shown in Suh.

Applicant submits that the final Office Action has improperly used applicant's invention as a road map to pick and choose features/components and paste the chosen features together to arrive at the claimed invention, even though the reference does not provide any teachings, suggestion or motivation to make the modifications *in the manner claimed*.

To establish a *prima facie* case of Obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicant respectfully submits that the combination of cited art not only fail to teach or suggest each and every feature as set forth in the claimed invention but there also fail to be proper motivation for combining the four cited references, for at least the reasons noted above.

Applicant respectfully submits that independent claims 1 and 5 are allowable over the cited art for at least the reasons noted above.

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejection of claims 1-6 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 **to schedule a Personal Interview.**

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

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Respectfully submitted,

By *Carolyn T. Bainger* #41,345
for D. Richard Anderson
Registration No.: 40,439
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant